UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.59
23 July 1993

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Third session

SUMMARY RECORD OF THE 59th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 19 January 1993, at 3 p.m.

Chairman: Mrs. BADRAN

CONTENTS

Consideration of reports submitted by States parties under article 44 of the Convention (continued)

Initial report of Viet Nam

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.93-15182 (E)

The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION (agenda item 11) (continued)

Initial report of Viet Nam (CRC/C/3/Add.4; CRC/C/3/WP.5)

1. At the invitation of the Chairman, Mrs. Tran Thi Thanh Thanh, Mr. Nguyen Luong, Mr. Lam Ngoc Bao, Mr. Hoang Phuoc Hiep and Mrs. Ha Thi Ngoc Ha (Viet Nam) took seats at the Committee table.

2. The CHAIRMAN noted that Viet Nam had been one of the first countries to ratify the Convention on the Rights of the Child and that it had submitted its report within the time-limit. After giving the members of the Committee an opportunity to introduce themselves, she called upon the representative of Viet Nam.

3. Mrs. TRAN THI THANH THANH (Viet Nam) recalled that, in accordance with article 44, paragraph 1 (a), of the Convention on the Rights of the Child, Viet Nam had submitted its initial report (CRC/C/3/Add.4) to the Committee in September 1992. The report gave general information about the country and described Vietnamese policies with regard to children and the general or specific measures taken for the implementation of the Convention.

4. The protection, care and education of children was the responsibility of the State, the entire society and each family. Since the Declaration of independence on 2 September 1945 Viet Nam's activities had been guided by respect for the child's rights and personality. Attention was given to the child's interests and the creation of a healthy environment in which they could develop physically, spiritually and morally. The Convention on the Rights of the Child provided a legal foundation for the action taken by the Vietnamese State on behalf of children and encouraged it to increase its activities in that field.

5. Viet Nam was doing its best to harmonize national legislation with the provisions of the Convention and in August 1991 had adopted two laws, the Law on the Protection, Care and Education of Children and the Law on the Universalization of Primary Education, which, with other decrees and policies would help in the implementation of the Convention.

6. The harmonious development of the child was a central issue which was incorporated in the country's renovation policy and its development strategy. The problems of children in Viet Nam could not, however, be solved until the country's social and economic situation was stabilized and improved. In that connection, the economic successes in 1992 and the social measures adopted had improved the people's living conditions, particularly those of women and children. The new Constitution had introduced major changes in the economic and political rights of citizens and placed greater stress on legal principles.

7. Vietnamese children had been informed about the Convention and national laws concerning the rights of the child by means of magazines, radio and television programmes and books. A competition run from May to October 1992

by a weekly magazine had received 250,000 entries from children. The country's mass and social organizations, UNICEF and other bodies had also played a part in making the Convention known.

8. Importance was attached to the active participation of the leaders of the relevant institutions, ministries and associations in the implementation of the Convention and the National Programme of Action for Children to the year 2000. The leaders played a decisive role in ensuring that local programmes took into account the needs of children and in encouraging the implementation of various health, education and information programmes.

9. The State had allocated about 5 per cent of its budget to programme implementation in 1993. That was in addition to the funds allocated by localities and the community to education, health and assistance for disadvantaged children. Government agencies, NGOs, the central Government and local authorities, the family and society, adults and young people were coordinating their efforts to ensure respect for the rights of the child at both national and local levels. The Committee for the Protection and Care of Children maintained relations with 14 out of the 27 ministries and with 13 mass organizations and NGOs. The mass organizations played a major role in informing the public about the law, carrying out information campaigns, raising funds and caring for children in difficult circumstances. They were also responsible for monitoring and evaluating activities for the benefit of children. The government agencies were responsible for technical matters, while the local authorities coordinated activities at the local level. The protection and care of children were not just the Government's responsibility. The whole of society must feel involved. Almost all the provinces had set up funds from contributions by individuals, societies and international organizations to carry out programmes for orphans, the young disabled and street children. In implementing the Convention Viet Nam had also received material, methodological and technical assistance for international bodies.

10. In recent years Viet Nam had enacted regulations for cooperation with international organizations and other countries to protect the rights and interests of Vietnamese children living overseas and foreign children living in Viet Nam. It had also won the support of international bodies, the United Nations, NGOs and individuals in improving the lives of Vietnamese children. Aid for the period 1991-1995 would total $85.1 million.

11. In order to improve the coordination and monitoring of the implementation of the Convention, national laws and the National Programme of Action the Government had set up a Committee for the Protection and Care of Children headed by a minister. Despite the problems due to years of war, the economic and social difficulties inevitable in developing countries, and the shift to a market economy, the Vietnamese authorities were doing their utmost to improve the lot of Vietnamese children. But the budget deficit, the threat of inflation, high unemployment, the difficulty of controlling population growth, the lack of health and education infrastructures, the intrusion of foreign cultures and ways of life, and the growing numbers of street children and prostitutes all hindered protection of the rights of children. In addition, the lack of studies on children and the incompetence of programme coordinators restricted the effectiveness of the management of action programmes for

children. In the immediate future the authorities would have to ensure that the provisions of the Convention were incorporated in the country's legal system and develop policies to deal with malnutrition, reduce infant mortality, and help children in the highland areas, children in difficulties and disadvantaged children. It was necessary also to educate people in observance of the law, carry out action programmes in the provinces and communities, make fundamental studies of children, improve the skills of programme managers, consolidate the machinery for monitoring the implementation of the Convention and the Law on the Protection, Care and Education of Children, prevent and punish all violations of children's rights, and secure more funds for the implementation of children's programmes in 1993-1995.

12. Viet Nam would do everything it could to fulfil its commitments, but it needed international cooperation and assistance. International and regional cooperation was needed for the implementation of the Convention and to ensure that the interests of the child remained a prime concern. She took the opportunity to thank the United Nations and the other international organizations, NGOs and individuals who had helped Viet Nam to improve the lot of the Vietnamese people and especially of Vietnamese children.

13. The CHAIRMAN thanked the representative of Viet Nam for introducing her country's report and invited her to respond to written issues 1 to 17 in the list contained in document CRC/C/3/WP.5, which dealt with the first three sections of the report:

General measures of implementation

1. Please provide more detail about the process of preparing the report, in particular in regard to popular participation.

2. What is the status of the Convention in relation to national law? Can the provisions of the Convention be directly invoked in the courts?

3. Please provide more information about the implementation of article 4 of the Convention in regard to the allocation "to the maximum extent of (...) available resources" for the rights of the child.

4. To what extent is the national budget allocated for the purpose of improving the situation of children? What steps are being taken to avoid measures of structural adjustment being harmful in relation to the social needs of children?

5. To what extent is international cooperation designed in such a manner as to enhance the implementation of the Convention? How and to what extent is assistance from other countries and from international organizations, including non-governmental organizations, directed towards children?

6. What steps are being taken to strengthen the capacity of the General Statistics Office to provide relevant data for the purpose of facilitating the implementation of the Convention?

7. (a) What further steps are planned for creating more widespread awareness about the Convention and its principles and norms?

(b) To what extent have school curricula been adjusted to give room for education about the Convention?

(c) Do government officials receive education and training in respect of the Convention and the rights of the child?

Definition of the child

8. Is there a definition of the term "child" in the law on the Protection, Care and Education of Children? Is there a minimum legal age for the freedom to do business, for the right to ownership of capital, property, housing and for the right to inherit?

9. Please indicate why the age of penal responsibility is set in the Penal Code at 14 or 15 years.

General principles

10. (a) Please briefly describe the measures taken to prevent discrimination on the grounds of social origin or position or the political views of children's parents.

(b) What particular steps are being taken to promote the rights of girls?

11. Is the problem of discrimination against the girl child addressed in the education policy? What is done to ensure the school attendance of girls?

12. Are gender-specific statistics available in relation to crucial aspects of the Convention?

13. What special measures are being taken to monitor that children in areas inhabited by minority populations are granted their rights?

14. What is the status of Amerasian children in Viet Nam?

15. What steps are being taken to increase public awareness and understanding of child disability?

16. What procedures exist to ensure the consent of children above 9 years of age in cases of adoption and of children above 15 years of age concerning the choice of nationality?

17. What is being done to change attitudes in minority areas with respect to provisions covered by article 12 of the Convention?

14. Mrs. TRAN THI THANH THANH (Viet Nam), said in response to issue 1 that since April 1992 the Committee for the Protection and Care of Children and representatives of mass organizations had studied the guidelines of the

Committee on the Rights of the Child and the provisions of the Convention concerning the presentation of reports. Persons had then been designated to gather the information used by the Committee for the Protection and Care of Children in drafting a first version of the initial report. Next a seminar had been organized. It had been attended by lawyers, experts in the fields of education, health, social welfare and economics, and representatives of mass organizations. Following the seminar a second version of the report had been drafted. After a consultative meeting organized by UNICEF and further studies, the final version of the report had been written and sent to the Committee on the Rights of the Child in September 1992.

15. With regard to issue 2, under articles 84 and 103 of the 1992 Constitution and the provisions of the 1989 decree on the application of international instruments, the Convention on the Rights of the Child, having been ratified by Viet Nam, was applicable in the country and national organizations and the Vietnamese people were required to observe its provisions. In the event of conflict with national laws, the legislature would consider the amendment of the law to bring it into line with the provisions of the Convention. In the event of conflict between national laws and the laws of the country where the child resided or of which he was a national, the authorities relied on the provisions of the Convention on the Rights of the Child and on the diplomatic arrangements in force between Viet Nam and the country in question.

16. Taking issues 3 and 4 together, she said that efforts to further the best interests of children ought to be a function of the economic and social conditions of each country and each community. Measures to further the best interests of children were set out in the economic and social development strategy. The State laid down policies for direct or indirect realization of the economic and social and cultural rights of the child. Various priorities, which took into account Viet Nam's capacities, had been accorded to children. Primary education was free. Children were given priority with respect to medical examinations and treatment. Services for children under six were free in State-run health centres. Orphans and children in disadvantaged areas received assistance. Vaccination programmes for children were being implemented. Funds had been set up for the development of education and health services in the highland areas and areas where minorities lived. Water supply, environment and school sanitation programmes were being carried out. In every area the best physical installations were reserved for the children's health services, education and recreational activities. The State encouraged social organizations, individuals and charities to contribute to the Common Fund of the Community for the Care of Children. The State allocated an appropriate share of its budget to improvement of the situation of children. According to unofficial preliminary calculations, the share of the State budget allocated to the social protection of children was 5 per cent, not counting contributions from localities and communities. That was still a fairly small share, but it was clear that the social protection of children should be a function of the country's level of economic and social development. The first step was to concentrate on the stabilization of the country's socio-economic situation. When that was achieved, it would be possible to place children's programmes on a solid foundation. In the circumstances Viet Nam was not at present in a position to bring about the

needed improvement in the lot of children. The gap between needs and resources was about 50 per cent. Viet Nam was therefore in great need of international support.

17. Turning to issue 5, she said that international cooperation was based on the needs of children and the extent and level of Viet Nam's international relations. All the ministries and services directly involved in the protection and care of children (Ministry of Public Health, Ministry of Education, etc.) drew up specific projects and plans for children. International cooperation must facilitate an exchange of information and experience, especially concerning the preparation of laws and projects relating to education and publications. International assistance would be used in accordance with the seven-objective programme drawn up for the period to the year 2000. The seven objectives were: to reduce infant mortality, especially among children under five; to reduce maternal mortality; to reduce the incidence of under-five malnutrition; to increase the proportion of the population - children in particular - with access to safe water and adequate sanitation facilities; to ensure that by 2000 90 per cent of children under 15 completed primary education and that no child in that age group was illiterate; to increase facilities for the material and cultural development of children and provide them with suitable recreational facilities; and to provide increased care for children in especially difficult circumstances. UNICEF and other organizations of the United Nations system were providing considerable assistance in the areas of public health and education, and NGOs were helping in the areas of social protection and the care of children living in especially difficult circumstances. International assistance covered about 5 per cent of the requirements of the seven-objective programme for children. Viet Nam hoped that the figure would be higher in 1993 and subsequent years.

18. Issue 6 dealt with statistical capacity. Viet Nam was in the process of creating a system of indicators and models for children which would be compatible with international systems. The foundations were going to be laid for the management, monitoring, control and evaluation of targets for children. Programmes had been established for the staff of the statistical and planning services in the areas of planning, monitoring and evaluation, and data collection and processing. Six centres were to be established to collect data and analyse information relating to the indicators for children and mothers. The pilot project would cover various regions of the country. Viet Nam intended to improve the system for the control, monitoring and communication of information drawn from various sources. It would try to incorporate the children's indicators into the general indices of services concerned with the situation of children. However, it still lacked the coordination, skills, equipment, installations and specific training programmes necessary for performing all those tasks.

19. Turning to question 7 (a), she said that the public authorities, in coordination with mass organizations and local authorities, had organized various campaigns to introduce and make the Convention known to civil servants, cadres and communities. A number of activities would be organized between June and October 1993. International Children's Day would be celebrated in Viet Nam on 1 June 1993. Efforts would be stepped up to publicize the provisions of the Convention and the articles and provisions of

national legislation concerning children by means of media programmes, mass education programmes and promotional campaigns carried out by the mass organizations. Mobile teams and groups would be set up at the central and local levels in order to publicize the rights of the child. The scope of all such activities would be extended to backward areas and areas where ethnic minorities lived.

20. With regard to question 7 (b), the public authorities had not adjusted school curricula to include specific education about the provisions of the Convention, but they were organizing additional courses on that topic. Reporting trips were organized to publicize the Convention. Within the framework of courses on civic duties, students participated in competitions calling for knowledge of the Convention.

21. With regard to issue 7 (c), Viet Nam asked government officials to publicize the provisions of the Convention, but they had not received sufficient training in that task. However, proper training had been given to officials in the departments of the ministries directly concerned with the situation of children (Ministry of Education, Ministry of Public Health, Ministry of Social Protection, Ministry of Culture, etc.) and to the leaders of mass organizations. Several seminars and discussion groups had been organized for their benefit.

22. As far as issue 8 was concerned, the term "child" was defined in the 1991 Law on the Protection, Care and Education of Children: the definition was supplemented in article 1 of Decree 374 of 14 November 1991 concerning the application of the Law. According to the Law on Private Enterprises and the Companies Law, both adopted in 1991, the minimum legal age was 18 both for setting up a private enterprise or a company and for ownership of capital.

23. Issue 9 concerned the age of penal responsibility. Penal responsibility could not be assigned to children under 14. Persons aged 14 to 18 were still minors and their penal responsibility was limited in accordance with chapter 7 of the Penal Code and chapter 31 (section 7) of the Code of Criminal Procedure.

24. In response to question 10 (a) she said that her country had taken many measures to promote unity and solidarity among its inhabitants and to educate young people along those lines. Action was being taken in various sectors and at various levels of society to eliminate, for example, contemptuous attitudes towards women. Women must enjoy the same respect as men. Intolerance was also found in relations between the inhabitants of the deltas and people living in the highlands and between townspeople and dwellers in rural areas. Various measures had been taken to correct that situation. The civil law and the Penal Code also contained provisions against discrimination. Article 21 of the Law on Marriage and the Family and article 2 of the Law on the Protection, Care and Education of Children stipulated, for example, that children in the same family had equal obligations and responsibilities. Article 81 of the Penal Code stipulated that the perpetrators of acts of discrimination were liable to sentences of 5 to 15 years' imprisonment if their aim was to sow discord or disrupt the solidarity of the people, provoke

hatred and contempt between ethnic groups and nationalities or between different population groups, to sow discord between believers and non-believers or to undermine international solidarity.

25. In response to question 10 (b) she said that Viet Nam was carrying out education activities and campaigns to promote the equality of the sexes. Article 63 of the 1992 Constitution stated that men and women had equal rights and that any act of discrimination against women was an affront to their dignity. Article 64 prohibited any discrimination between sons and daughters born in or out of wedlock. Article 19 of the Law on Marriage and the Family contained similar provisions. Article 25 of the Penal Code stipulated that any act infringing the equality of rights of women could be punished with up to one year's imprisonment.

26. Turning to question 11, she said that education policy was designed to solve the problem of discrimination against girls. Specific action against discrimination was being taken as part of the teaching of various school subjects such as the arts, political education and sex education. Girls, particularly those living in rural and highland areas, were in practice disadvantaged. For example, they were often compelled to do manual work from a very young age. In highland regions girls aged 6 to 14 accounted for only 20 per cent of school enrolments. The State had therefore drawn up a policy of priorities to encourage girls to attend school. They were allowed to join a class even if they were a year or two older than the normal entry age. The Women's Union also carried out educational work to encourage parents to send their daughters to school.

27. With regard to issue 12, gender-specific statistics were available for some principal data, such as data from population censuses, but Viet Nam had not yet been able to collect other gender-specific data. It was going to try to do so from 1993 as part of a new system of indices for children.

28. In response to issue 13 she explained that Viet Nam did have, within the framework of the National Assembly, a Nationalities Council responsible for studying the nationalities question and submitting proposals to the National Assembly. The Nationalities Council supervised nationalities policies and was required to establish socio-economic development programmes for populations living in mountain regions and for ethnic minorities. There was also a Committee with the status of ministry which was responsible for monitoring the implementation of the specific measures taken in such regions. The mass and social organizations could report on the implementation of the Convention with respect to the children living in mountain areas.

29. Issue 14 was of a humanitarian nature. After the war the Vietnamese Government had done its best to help children in difficult situations by means of social protection programmes set up with the support of social organizations. As such children were dispersed over many localities they had not all been able to take advantage of the measures introduced. At the end of the war any Amerasian children who wished to go to the United States had had the right to settle there and had received assistance in preparing their applications. Those who wished to remain in Viet Nam had received assistance to enable them to lead normal lives. The children who had chosen Vietnamese nationality now enjoyed the same rights as other Vietnamese children.

30. In response to issue 15 she said that at present the country had more than a million disabled children. The Government had established a special programme designed to give them confidence in themselves and help them to integrate better in society. A programme had also been organized for parents and the leaders of local communities to inform them about the rights of the child, in particular the disabled child. The Committee for the Protection and Care of Children was studying the aetiology of disabilities and their classification according to the needs of functional rehabilitation. Action was being taken at the community level to help such children and to train the teachers responsible for their rehabilitation. Parents were also instructed in the exercises which their children should perform. Lastly, Viet Nam encouraged pioneers organizations and student unions to help such children with their studies.

31. In response to issue 16 she said that under Vietnamese law the adoption file of a child aged over nine must include a written document certifying the child's consent. The document had to be drawn up in accordance with article 36 of the Law on Marriage and the Family and article 4 of Government Decision 145 HDBT concerning the adoption of Vietnamese children by foreigners. The People's Committees were responsible for verifying the authenticity of such documents. With respect to the choice of nationality by a child aged over 15, article 7 of Decree 37 HDBT of 5 February 1990 stipulated that children wishing to change their nationality must apply to the provincial or municipal People's Committee or to Viet Nam's diplomatic mission if they lived abroad. The application must include the authenticated consent of children aged 15 to 18.

32. Viet Nam was taking a number of measures with respect to issue 17. It was carrying out programmes to make primary education universal and eliminate illiteracy and improve educational facilities in the highlands. It was also publishing newspapers and magazines in several languages, including the languages of ethnic minorities, and was organizing film shows and performances by theatre groups in those regions. Information about the rights of the child was also disseminated among ethnic minorities, and the teaching of their various languages was encouraged. Subsidies were provided for the purchase of essential goods, medicines and iodized salt for children in highland regions. The Vietnamese Government was taking measures to ensure that the inhabitants of such regions could receive television broadcasts. New investments were being made in road infrastructure and water purification projects.

33. The CHAIRMAN thanked the Vietnamese delegation for its responses to issues 1 to 17 and for the information which it had given to supplement the first three sections of the report (general measures of implementation, definition of the child, and general principles). She asked the members of the Committee whether they had any questions.

34. Mr. MOMBESHORA noted that there were 54 different ethnic groups in Viet Nam and that 87 per cent of the population spoke Vietnamese and he asked what was the total number of languages spoken in Viet Nam. He also wished to know in what language the publicity campaigns to increase awareness of the Convention on the Rights of the Child had been conducted and the number of languages into which the Convention had been translated.

35. Mr. KOLOSOV said that he had nine questions to ask. First, he would like to have concrete information about the place occupied by the Convention on the Rights of the Child in national law and whether its provisions could be directly invoked in the courts. Second, since 5 per cent of the State budget was allocated to the 50 per cent of the population made up of children, it would be interesting to know whether any increase in that budget was planned and, if so, at the expense of which other parts of the budget. Third, he would like information about the actual methods of data collection and about the studies carried out by the experimental centres mentioned by the Vietnamese delegation. Fourth, he would like to know whether the Pioneers' organizations played a part in the dissemination of information about the Convention and in promoting greater awareness of its role. Fifth, he wished to know what was the age of majority in Vietnamese law; and sixth, whether it was true that children, when enrolling in school, had to submit the curriculum vitae of their parents. Seventh, although Vietnamese legislation prohibited discrimination based on religion, he would like to know whether such discrimination existed in practice; eight, whether the present report had already been circulated in Viet Nam; and nine, what were the six fundamental rights and the three fundamental obligations of the child set forth in the 1979 Law on the Protection, Care and Education of Children?

36. Mr. HAMMARBERG also asked for further information in response to issues 3 and 4 and, in particular, about the share of the national budget allocated to the realization of the rights of the child. Furthermore, since international assistance for Vietnamese children amounted to $85 million, he would like to know why insufficient funds were allocated to children.

37. Mrs. SANTOS PAIS welcomed the fact that Viet Nam was represented in the Committee at such a high level, with members of the various ministries involved in the implementation of the Convention. The delegation was headed by Mrs. Tran Thi Thanh Thanh who, as a minister, could make commitments to the Committee with respect to the implementation of the Convention. The Vietnamese delegation had shown considerable openness of mind by recognizing the difficulties encountered in the application of the Convention and indicating the areas in which supplementary measures would have to be taken.

38. Viet Nam had acted very positively by creating a committee to coordinate and monitor the implementation of the Convention and collaborate with international organizations in carrying out development programmes for children. She was also very impressed by the action being taken to make the Convention widely known among the different sectors of society, especially by translating it into some of the minority languages.

39. It must be stressed that the initial report had been drafted in accordance with the Committee's guidelines and that every article of the Convention was dealt with in an original manner: first came a presentation of the legislation relating to a given article, then an explanation of the way in which that legislation was applied and of the difficulties encountered.

40. It would be a good idea for Viet Nam to envisage incorporating the Convention into its domestic law. The right of ordinary people to invoke the Convention in the courts would thus be fully recognized. She noted from the report that owing to unemployment and poverty some children were forced to

leave school in order to contribute to the family income. Viet Nam should introduce budgetary measures and carry out programmes at the local level to ensure that vulnerable groups, especially children, did not suffer too much from the difficulties due to the shift to a market economy. The report also stated that certain government authorities were still unaware of the rights which the law accorded to children (para. 75) and in particular that some prison guards still beat detained children (para. 110). She would like to know what measures the Vietnamese Government intended to take in order to make the rights of the child known to law-enforcement officials. In particular, was there any plan to organize training courses and seminars on the administration of justice, with the assistance of international organizations? Lastly, she asked for specific information as to the age from which a person was regarded as fully responsible in criminal law, the age below which a child could not be imprisoned, and the penalties imposed on a child under 14 who had intentionally committed a serious offence.

41. Mrs. EUFEMIO said she would like to know what strategy the Vietnamese Government planned to improve the country's socio-economic situation, which largely determined the extent to which the Convention was implemented. She would be grateful for information about the pilot project for measuring the extent of the Convention's application by statistical methods and about the proposed system of indicators.

42. Mr. GOMEZ DA COSTA congratulated the Vietnamese Government on its efforts to make the Convention known to all sectors of society, in particular children and especially through children's publications. He wondered whether such publications reached children belonging to ethnic minorities. He would also like to know what were the purpose and the exact nature of the selection procedures on enrolment in primary education. He asked what measures the Vietnamese Government was taking to make the Convention known to civil servants, especially members of the judiciary and the police, teachers, doctors and paramedics. From what age were children regarded as fully responsible in criminal law? What exactly was meant by limited criminal responsibility for children aged 14 to 18, and what penalties could be imposed on a child under 14 who had committed a serious crime?

43. Mrs. MASON said that she would also like to know what was meant by full penal responsibility from age 16, for the report stated that children could not be sentenced either to life imprisonment or to capital punishment. Did the Vietnamese delegation have any idea of the number of Amerasian children in Viet Nam? Amerasians seemed to be regarded as second-class citizens; were they subjected to discrimination? Lastly, she was glad that a campaign had been launched against discrimination, especially discrimination against women, but asked why the Vietnamese Government accepted the myth that the pace of physiological and psychological development in girls differed from that in boys (para. 67 (b)).

44. Mgr. BAMBAREN GASTELUMENDI said that he would like to know what were the consequences for children of the introduction of the new economic model in Viet Nam and in particular whether the number of street children and working children had increased. He would also like to know why marriages could be contracted regardless of the minimum age set by law.

The meeting was suspended at 5.25 p.m. and resumed at 5.40 p.m.

45. The CHAIRMAN invited the Vietnamese delegation to respond to issues 18 to 21 set out in document CRC/C/3/WP.5, which related to section IV of the report:

Civil rights and freedoms

18. What further steps have been taken to register births and what progress has been made in this area? (paras. 84-88 of the report)

19. How are children protected from violence and other harmful influences in the mass media? (art. 17 of the Convention)

20. How is the legal right of privacy for children protected in practice? What is being done to inform families of this right? (art. 16 of the Convention)

21. What steps have been taken to prevent the beating of children in detention centres for juveniles? Is this aspect covered in Codes of Conduct for Law Enforcement Personnel and in their training? What remedies are there in cases of abuse? (art. 37 (a) of the Convention)

46. Mrs. TRAN THI THANH THANH (Viet Nam) said in response to issue 18 that the Ministry of Justice was responsible for the application of the provisions of decree 219/HDBT of 20 November 1987 concerning civil registration and particularly the registration of births. Birth certificates must be issued promptly by the People's Committee of the commune in which the parents lived, and all children must be registered. Under a 1990 ordinance it was for the competent Vietnamese diplomatic or consular missions to take care of the civil registration of Vietnamese citizens living abroad and to issue the corresponding certificates, in particular birth certificates. A great educational campaign had been directed to the public at large and civil servants to ensure that everyone understood the importance of the registration of births; above all else, such registration guaranteed that child's right to life. Mothers had been made aware that it was vitally important to declare their children. Lastly, the civil servants responsible for registering births would be given additional training and increased resources for performing their duties, especially the registration of births in remote regions.

47. In response to issue 19 she said that Viet Nam had taken action to encourage publishers, film producers, theatre directors, circuses, etc., to produce a larger volume of wholesome books, films and shows which met the information and cultural needs of children. The Government was also taking measures to encourage children to engage in healthy activities in various areas such as sport or helping the elderly and the disabled. Lastly, in collaboration with families, youth organizations and teachers, the Government was trying to combat the publication and distribution of written materials which might undermine children's well-being and morals.

48. Turning to issue 20, she said that the Penal Code stipulated a penalty of one year's imprisonment for illegal entry, up to one year for violation of the secrecy of correspondence, and up to two years for violation of human dignity.

In addition to the administrative bodies responsible for application of the law, the social organizations and children themselves played a part in the protection of the above-mentioned rights, which the media and other agencies helped to make known to the public.

49. In response to issue 21 she said that under article 71 of the Constitution it was strictly forbidden to persecute citizens, including juvenile delinquents. And the Penal Code prohibited the maltreatment of suspects and the obtaining of statements from them by force. Lastly, article 8 of the Law on the Protection, Care and Education of Children stipulated that the State and society must respect the physical integrity and the dignity of children, prohibiting the maltreatment, abandonment and kidnapping of children and trafficking in children. It was planned to inform the guards of re-education camps about the provisions of the Convention on the Rights of the Child in order to put an end to the harsh treatment meted out to some children.

50. The Vietnamese delegation withdrew.

The meeting rose at 6 p.m.